



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904
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January 27, 2020

Nicole Cunningham
Planning, Policy and Quality Unit
Division of Medicaid and Medical Assistance
1901 North DuPont Highway/P O Box 906
New Castle, DE 19720-0906

RE: 23 DE Reg. 526 [DHSS/DMMA Proposed Medicaid Long Term Care Program – Community Spouse Regulation (January 1, 2020)]

Dear Ms. Cunningham:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the proposed Delaware Health and Social Services (DHSS)/Division of Medicaid and Medical Assistance (DMMA) regulation to amend the Division of Social Services Manual (DSSM) regarding the Medicaid Long Term Care Program concerning Community Spouses. The proposed amendment corrects an error in drafting of earlier spousal impoverishment provisions. DMMA currently applies Spousal Impoverishment regulations to a Community Spouse receiving Home and Community Based Services. The agency implemented this change in April of 2007. Section 20910.2 Community Spouse, was not amended, in error. Council **supports** the correction.

Thank you for your time and consideration of our comments. Please feel free to contact me or Wendy Strauss should you have any questions on our comments.

Sincerely,

Ann C Fisher

Ann C. Fisher
Chairperson

ACF: kpc